

EXHIBIT R

Jones, Cheryl Sue

From: Norcutt, Matthew (ELECT) <Matthew.Norcutt@elections.virginia.gov>
Sent: Monday, September 16, 2024 9:14 AM
To: Jones, Cheryl Sue
Cc:
Subject: RE: 90-day voter cancellation & non-citizen hopper

Hello Cheryl,

You would continue to process cancellations. Per the NVRA (2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.

(B) Subparagraph (A) shall not be construed to preclude-

- (i) the removal of names from official lists of voters on a basis described in paragraph (3)(A) or (B) or (4)(A) of subsection (a); or
- (ii) correction of registration records pursuant to this chapter.

Removing non-Citizens would be considered correction of the voter records which is precluded from the 90-day prohibition.

Thanks,

Matthew Norcutt

Elections and Registration Specialist
Virginia Department of Elections
1100 Bank St 1st Floor
Richmond, VA 23219
804-801-6435
matthew.norcutt@elections.virginia.gov

Department of Elections Email Disclaimer:

This message, including any attachments, may summarize laws, regulations and policies of the Virginia Department of Elections or the Commonwealth of Virginia. Furthermore, this message and any responses sent to this email address may be subject to public disclosure under FOIA. For more information, please call the Virginia Department of Elections at 1-800-552-9745 or visit <https://www.elections.virginia.gov/e-mail-disclaimer/index.html>.

From: Jones, Cheryl Sue <CherylSue.Jones@fairfaxcounty.gov>
Sent: Friday, September 13, 2024 1:17 PM
To: Norcutt, Matthew (ELECT) <Matthew.Norcutt@elections.virginia.gov>
Subject: 90-day voter cancellation & non-citizen hopper

Caution: This Email Originated Outside ELECT. Exercise Caution When Opening Attachments or Clicking Links, Especially From Unknown Senders.

Good afternoon Matthew,

The GREB handbook instructs in 8.4.1:

Cancellations under any list maintenance program must be made no later than 90 days before the date of the next federal primary or general election.

The reference in NVRA

52 USC 20507: Requirements with respect to administration of voter registration (house.gov)

This would appear to include the program to cancel non-citizens, so we're surprised Elect is populating the non-citizen hopper. Should we not act on voters in the non-citizen hopper until after the election?

Best regards,

Cheryl

Cheryl Jones

Deputy Director / Deputy General Registrar
Fairfax County Office of Elections
12000 Government Center Pkwy Suite 323
Fairfax, VA 22035
T: 703-324-7739
Fairfaxcounty.gov/Elections